

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI

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CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT
ST. LOUIS, MISSOURI

IN RE:

Case No.: 25-40977

23andMe Inc.

MOTION TO INTERVENE

a/k/a/ Chrome Merge Sub, Inc.

Debtor.

Movant, David S. Neal, respectfully submits this Motion to Intervene in the above-captioned Chapter 11 proceeding pursuant to 11 U.S.C. § 1109(b) and Federal Rule of Bankruptcy Procedure 2018(a), and in support thereof states as follows:

1. Movant is a consumer and customer of the Debtor, 23andMe Inc., and has previously submitted personally identifiable genetic information to the Debtor for testing and analysis.
2. As such, Movant has a direct and legally protected interest in the outcome of this bankruptcy case, particularly as it concerns the potential sale, transfer, or disclosure of personally identifiable information (PII), including genetic data.

1 3. On March 24, 2025, Movant attempted to delete his personal data from the Debtor's
2 systems, but was prevented from doing so due to a technical malfunction.

3
4 4. Movant has filed an Emergency Motion for Protective Order opposing the transfer of his
5 PII and asserting his rights under 11 U.S.C. § 363(b)(1).

6
7 5. Movant is a party in interest within the meaning of 11 U.S.C. § 1109(b) and Bankruptcy
8 Rule 2018(a), as he has a direct pecuniary and privacy interest that may be adversely
9 affected by the relief sought in this case.

10
11 6. Intervention is necessary to ensure that Movant may fully participate in these
12 proceedings, receive notice of all filings, and be heard on matters affecting his rights.

13
14 WHEREFORE, Movant respectfully requests that this Court grant his Motion to Intervene and
15 enter an order recognizing him as a party in interest with standing to participate in all
16 proceedings in this case, and for such other and further relief as the Court deems just and proper.

17
18 Dated: May 31, 2025

Respectfully submitted,

19 /s/ DAVID S NEAL
20 

1 UNITED STATES BANKRUPTCY COURT
2 EASTERN DISTRICT OF MISSOURI
3

4 IN RE:

Case No.: 25-40977

6 23andMe Inc.

AFFIRMATION OF SERVICE

7 a/k/a/ Chrome Merge Sub, Inc.

8 Debtor.
9
10

11 I, David S Neal, declare under penalty of perjury, that I served a copy of the attached Motion to
12 Intervene upon all other parties in this case by email to the following persons:
13

14 See attached Schedule A, master service list retrieved on May 31, 2025.
15

16 Dated: May 31, 2025

Respectfully submitted,

17 /s/ DAVID S NEAL
18 

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI

IN RE:

Case No.: 25-40977

23andMe Inc.

[PROPOSED] ORDER

a/k/a/ Chrome Merge Sub, Inc.

Debtor.

Upon consideration of the Motion to Intervene and Emergency Motion for Protective Order filed by David S. Neal (ECF Nos. ____ and ____), and good cause appearing therefor, and it further appearing that Movant is a party in interest under 11 U.S.C. § 1109(b), and that the relief requested is necessary and appropriate under 11 U.S.C. § 363(b)(1), it is hereby:

ORDERED, that the Motion to Intervene is GRANTED. Movant David S. Neal is hereby recognized as a party in interest in this case with standing to participate in all proceedings herein; and it is further

ORDERED, that the Emergency Motion for Protective Order is GRANTED; and it is further

ORDERED, that the Debtor, its successors, assigns, and any prospective purchasers of assets, are hereby prohibited from selling, transferring, leasing, or disclosing the personally

1 identifiable information (PII), including genetic data, of Movant David S. Neal until such time as
2 the Debtor certifies in writing to this Court that all such data has been fully and irrevocably
3 deleted from its systems; and it is further
4

5 **ORDERED**, that no sale of assets involving consumer personally identifiable
6 information shall be approved unless and until a Consumer Privacy Ombudsman has been
7 appointed and has reviewed the Debtor's privacy policy and reported to the Court that all
8 conditions have been satisfied, as required under 11 U.S.C. § 363(b)(1)(B); and it is further
9

10 **ORDERED**, that this Court retains jurisdiction to enforce the terms of this Order and to
11 address any further relief sought by Movant related to the protection of personally identifiable
12 information.
13

14 Dated: _____

15 St. Louis, Missouri
16

17 BY THE COURT:
18

19 United States Bankruptcy Judge

MASTER SERVICE LIST

DESCRIPTION	NAME	NOTICE NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	POSTAL CODE	COUNTRY	PHONE	FAX	EMAIL
DEBTOR	2384444 HOLDING CO.	ATTN: GUY CHAYOUN, VICE PRESIDENT, INTERIM GENERAL COUNSEL	222 N. MATTHEW AVENUE		SUNNYVALE	CA	94086				
COUNSEL TO CYBER SECURITY INCIDENT CLAIMANTS	ARON LAW FIRM	ATTN: WILLIAM ARON	15 W. CARROLL ST. SUITE 217		SANTA BARBARA	CA	93101		805.618.1768		BILL@ARONLAWFIRM.COM
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COUNSEL TO CYBER SECURITY INCIDENT CLAIMANTS	BRADLEY/GROMBACHER LLP	ATTN: KYLE GROMBACHER, MARK A. BRADLEY	41305 DAK CREST DR. SUITE 240		WESTLAKE VILLAGE	CA	91363		805.270.7100		KGROMBACHER@BRADLEYGROMBACHER.COM
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COUNSEL TO CYBER SECURITY INCIDENT CLAIMANTS	CASEY GERRY SCHENK FRANCAVELLA BLATT & PENFOLD, LLP	ATTN: GAYLE M. BLATT, P. CAMILLE GUERRA, DAVID S. CASEY, JR.	110 LAUREL STREET		SAN DIEGO	CA	92101		619.238.1311		LAUVERNET@OUVERNET.CA
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DESCRIPTION	NAME	NOTICE NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	POSTAL CODE	COUNTRY	PHONE	FAX	EMAIL
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